

# Exhibit 12



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# Transcript of Richard Wesel, Ph.D.

**Date:** March 17, 2025

**Case:** Headwater Research LLC -v- Verizon/T-Mobile/AT&T

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Conducted on March 17, 2025

<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE EASTERN DISTRICT OF TEXAS</p> <p>3 MARSHALL DIVISION</p> <p>4</p> <p>5 HEADWATER RESEARCH LLC,</p> <p>6 Plaintiff,</p> <p>7 vs. Civil Action No. 2:23-cv-00379-JRG-RSP</p> <p>8 T-MOBILE USA, INC., et al., (Lead case)</p> <p>9 Defendants.</p> <p>10 -----</p> <p>11 HEADWATER RESEARCH LLC,</p> <p>12 Plaintiff,</p> <p>13 vs. Civil Action No. 2:23-cv-00397-JRG-RSP</p> <p>14 AT&amp;T SERVICES, INC., et al.,</p> <p>15 Defendants.</p> <p>16 -----</p> <p>17 HEADWATER RESEARCH LLC,</p> <p>18 Plaintiff,</p> <p>19 vs. Civil Action No. 2:23-cv-00352-JRG-RSP</p> <p>20 VERIZON COMMUNICATIONS, INC., et al.,</p> <p>21 Defendants.</p> <p>22 -----</p> <p>23</p> <p>24 * CONFIDENTIAL - OUTSIDE ATTORNEYS' EYES ONLY *</p> <p>25 * CONTAINS SOURCE CODE *</p>	<p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 ON BEHALF OF THE PLAINTIFF</p> <p>4 KRISTOPHER DAVIS, ESQUIRE</p> <p>5 JASON M. WIETHOLTER, ESQUIRE</p> <p>6 JAMES N. PICKENS, ESQUIRE</p> <p>7 REZA MIRZAIE, ESQUIRE</p> <p>8 RYAN K. LUNDQUIST, ESQUIRE</p> <p>9 Russ August &amp; Kabat</p> <p>10 12424 Wilshire Boulevard</p> <p>11 12th Floor</p> <p>12 Los Angeles, California 90025</p> <p>13 310.826.7474</p> <p>14 kdavis@raklaw.com</p> <p>15 jwietholter@raklaw.com</p> <p>16 jpickens@raklaw.com</p> <p>17 rmirzaie@raklaw.com</p> <p>18 rlundquist@raklaw.com</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>1</p> <p>2 VIDEOTAPED DEPOSITION OF</p> <p>3 RICHARD WESEL, Ph.D.</p> <p>4 Monday, March 17, 2025</p> <p>5</p> <p>6</p> <p>7 Job No.: 576451</p> <p>8 Pages: 1 - 232</p> <p>9</p> <p>10</p> <p>11</p> <p>12 Videotaped deposition of RICHARD WESEL, Ph.D.,</p> <p>13 produced as a witness at the instance of the Defendant,</p> <p>14 and duly sworn, was taken in the above-styled and</p> <p>15 numbered cause on Monday, March 17, 2025, from 11:53 a.m.</p> <p>16 to 9:06 p.m. Eastern Time, before Alison C. Webster, RPR,</p> <p>17 CRR, RMR, RDR, CSR-6266 (Michigan); License No. 14559</p> <p>18 (California); License No. 084.004953 (Illinois);</p> <p>19 CSR-12432 (Texas), reported by stenographic method, via</p> <p>20 videoconference, pursuant to the Federal Rules of Civil</p> <p>21 Procedure and the provisions stated on the record or</p> <p>22 attached hereto.</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 A P P E A R A N C E S C O N T I N U E D</p> <p>2</p> <p>3 ON BEHALF OF THE DEFENDANTS T-MOBILE USA, INC.,</p> <p>4 and VERIZON COMMUNICATIONS, INC.</p> <p>5 BRIAN ROSENTHAL, ESQUIRE</p> <p>6 CHARLIE SIM, ESQUIRE</p> <p>7 Gibson, Dunn &amp; Crutcher LLP</p> <p>8 200 Park Avenue</p> <p>9 New York, New York 10166</p> <p>10 212.351.2339</p> <p>11 brosenenthal@gibsondunn.com</p> <p>12 csim@gibsondunn.com</p> <p>13</p> <p>14 HANNAH BEDARD, ESQUIRE</p> <p>15 Gibson, Dunn &amp; Crutcher LLP</p> <p>16 1700 M Street, N.W.</p> <p>17 Washington, D.C. 20003</p> <p>18 202.777.9579</p> <p>19 hbedard@gibsondunn.com</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

Conducted on March 17, 2025

<p>17</p> <p>1 MR. ROSENTHAL: Exhibit Number 4 is</p> <p>2 Appendix C to that report.</p> <p>3 MARKED FOR IDENTIFICATION:</p> <p>4 EXHIBIT 4</p> <p>5 12:00 p.m.</p> <p>6 MR. ROSENTHAL: Exhibit Number 5 is</p> <p>7 Appendix D to that report.</p> <p>8 MARKED FOR IDENTIFICATION:</p> <p>9 EXHIBIT 5</p> <p>10 12:00 p.m.</p> <p>11 BY MR. ROSENTHAL:</p> <p>12 Q. Let me just stop there. The reports that you've --</p> <p>13 the report that you generated on February 13th, 2025,</p> <p>14 and the appendices and exhibits thereto constitute</p> <p>15 your infringement opinions. Correct?</p> <p>16 <b>A. Well, let's see. I believe there are -- there's a</b></p> <p>17 <b>rebuttal report and then a supplementary report, two</b></p> <p>18 <b>brief reports that also, you know, add to my</b></p> <p>19 <b>opinions.</b></p> <p>20 Q. Okay. So Exhibit Number -- let me -- let me start</p> <p>21 with just the February 13th reports.</p> <p>22 On February 13th, you served an</p> <p>23 infringement report in all three cases. Correct?</p> <p>24 <b>A. That's correct.</b></p> <p>25 Q. And the body of the report, as I understand it, was</p>	<p>19</p> <p>1 EXHIBIT 7</p> <p>2 12:03 p.m.</p> <p>3 <b>A. I mean, I haven't downloaded that exhibit yet, but, I</b></p> <p>4 <b>mean, that -- that is -- that's the last of the</b></p> <p>5 <b>reports, yes.</b></p> <p>6 <b>BY MR. ROSENTHAL:</b></p> <p>7 Q. And then in addition to what we've just identified,</p> <p>8 you also had a supplemental report, I believe.</p> <p>9 Correct?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. That was just served a few days ago. Right?</p> <p>12 <b>A. That's correct.</b></p> <p>13 MR. ROSENTHAL: Charlie, could you please</p> <p>14 put that in as an exhibit?</p> <p>15 MR. SIM: Yeah, give me a moment here.</p> <p>16 MR. ROSENTHAL: Thank you.</p> <p>17 MR. SIM: All right, that should be</p> <p>18 uploading now.</p> <p>19 MR. ROSENTHAL: That's Exhibit 14?</p> <p>20 MR. SIM: Correct.</p> <p>21 MR. ROSENTHAL: Did we put that in the</p> <p>22 Chat? There it is. Okay.</p> <p>23 MARKED FOR IDENTIFICATION:</p> <p>24 EXHIBIT 14</p> <p>25 12:05 p.m.</p>
<p>18</p> <p>1 intended to be identical across all three cases.</p> <p>2 Correct?</p> <p>3 <b>A. It's the same report submitted for all three cases,</b></p> <p>4 <b>and then Appendices A, B, and C provide things that</b></p> <p>5 <b>are specific for each defendant.</b></p> <p>6 Q. Okay. And so Appendix A was specific to Verizon,</p> <p>7 Appendix B was specific to T-Mobile, and Appendix C</p> <p>8 was specific to AT&amp;T. Correct?</p> <p>9 <b>A. Yes, that's correct.</b></p> <p>10 MR. ROSENTHAL: And then Exhibit Number 6</p> <p>11 to this deposition is the supplemental infringement</p> <p>12 report which is entitled Rebuttal Expert Report -- I'm</p> <p>13 sorry, it's entitled Rebuttal Expert Report of</p> <p>14 Dr. Richard D. Wesel Regarding Non-Infringing</p> <p>15 Alternatives, dated March 13th, 2025.</p> <p>16 MARKED FOR IDENTIFICATION:</p> <p>17 EXHIBIT 6</p> <p>18 12:02 p.m.</p> <p>19 BY MR. ROSENTHAL:</p> <p>20 Q. Correct?</p> <p>21 <b>A. Yes, that's correct.</b></p> <p>22 Q. Okay. And then Exhibit Number 7 is an errata that was</p> <p>23 served last night to your opening infringement report.</p> <p>24 Correct?</p> <p>25 MARKED FOR IDENTIFICATION:</p>	<p>20</p> <p>1 BY MR. ROSENTHAL:</p> <p>2 Q. And Exhibit Number 14 is your supplemental report with</p> <p>3 respect to infringement that is dated March 15th,</p> <p>4 2025. Correct?</p> <p>5 <b>A. Again, I haven't downloaded it, but I believe you.</b></p> <p>6 Q. Okay. So feel free to download or look at your own</p> <p>7 copies of them, but as I understand it, you served an</p> <p>8 expert report on February 13th, 2025. You served a</p> <p>9 rebuttal report on March 13th, 2025. You served a</p> <p>10 supplemental report on March 15th, 2025. And you</p> <p>11 served errata to your first report on March 16th,</p> <p>12 2025. Correct?</p> <p>13 <b>A. Yes, that's correct.</b></p> <p>14 Q. And those are all the submissions that you've made</p> <p>15 with respect to your opinions in this case. Correct?</p> <p>16 <b>A. That's correct.</b></p> <p>17 Q. And do those four documents and the appendices and</p> <p>18 exhibits thereto reflect all of the opinions that you</p> <p>19 intend to offer at trial?</p> <p>20 <b>A. Well, I believe so. Unless there's the need to file</b></p> <p>21 <b>another supplemental report on some issue that comes</b></p> <p>22 <b>up later, so... these are all the reports -- these</b></p> <p>23 <b>represent all of my opinions up to this time.</b></p> <p>24 Q. Great. And other than the errata that you served</p> <p>25 yesterday with respect to your February 13th report,</p>